57A2259, dated February 15, 1990, or Revision 1, dated September 6, 1990. If no crack is found, repeat these inspections at intervals not to exceed 1,000 landings until the inspections required by paragraph (b) of this AD are accomplished.

(b) For airplanes on which the ''terminating modification'' [between front spar station (FSS) 640 and FSS 670] specified in Boeing Alert Service Bulletin 747–57A2259, dated February 15, 1990; or Revision 1, dated September 6, 1990; has not been accomplished: Prior to the accumulation of 4,000 total landings on the airplane, or within 6 months after the effective date of this AD, whichever occurs later, perform the inspections specified in paragraphs (b)(1), (b)(2), and (b)(3) of this AD to detect cracks in the web between FSS 628 and FSS 675, in accordance with Boeing Alert Service Bulletin 747–57A2259, Revision 2, dated June 9, 1994. Accomplishment of these inspections terminates the repetitive inspection requirement of paragraph (a) of this AD. If no crack is found, repeat these inspections thereafter at intervals not to exceed 1,000 landings.

(1) Perform an ultrasonic inspection in the web under the upper and lower chord footprints; and

(2) Perform a high frequency eddy current inspection in the web in an area one inch below the upper chord and one inch above the lower chord footprints; and

(3) Perform a detailed visual inspection in the forward face of the web of the wing front spar at fastener locations in the web-to-stiffeners and web-to-rib posts.

(c) For airplanes on which the ''terminating modification'' specified in Boeing Alert Service Bulletin 747–57A2259, dated February 15, 1990; or Revision 1, dated September 6, 1990; has been accomplished: Prior to the accumulation of 4,000 total landings on the airplane, or within 6 months after the effective date of this AD, whichever occurs later, perform the inspections specified in paragraphs (c)(1), (c)(2), and (c)(3) of this AD to detect cracks in the web between FSS 628 and FSS 636, in accordance with Boeing Alert Service Bulletin 747–57A2259, Revision 2, dated June 9, 1994. If no crack is found, repeat these inspections thereafter at intervals not to exceed 1,000 landings.

(1) Perform an ultrasonic inspection of the web under the upper and lower chord footprints; and

(2) Perform a high frequency eddy current inspection of the web in an area one inch below the upper chord and one inch above the lower chord footprints; and

(3) Perform a detailed visual inspection of the forward face of the web of the wing front spar at fastener locations in the web-to-stiffeners and web-to-rib posts.

(d) If any crack is found during any inspection required by this AD, prior to further flight, accomplish a terminating modification (between FSS 623 and FSS 670) in accordance with Boeing Alert Service Bulletin 747–57A2259, Revision 2, dated June 9, 1994; or in accordance with a method approved by the Manager, Seattle Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate.

(e) Installation of a terminating modification (between FSS 623 and FSS 670) in accordance with Boeing Alert Service Bulletin 747–57A2259, Revision 2, dated June 9, 1994; or in accordance with a method approved by the Manager, Seattle ACO; constitutes terminating action for the requirements of this AD.

(f) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Seattle ACO. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Seattle ACO.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Seattle ACO.

(g) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

Issued in Renton, Washington, on February 14, 1995.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 95–4122 Filed 2–17–95; 8:45 am]

BILLING CODE 4910–13–U

14 CFR Part 39

[Docket No. 95–NM–12–AD]

Airworthiness Directives; De Havilland Model DHC–8–102, –103, –106, –301, –311, and –314 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the adoption of a new airworthiness directive (AD) that is applicable to certain de Havilland Model DHC–8 series airplanes. This proposal would require modification of a certain battery temperature monitor. This proposal is prompted by reports of failure of the battery temperature monitor, which resulted in smoke in the flight compartment. The actions specified by the proposed AD are intended to prevent failure of the battery monitor, which could result in smoke in the flight compartment.

DATES: Comments must be received by April 3, 1995.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 95–NM–12–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056. Comments may be inspected at this location between 9 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Bombardier, Inc., Bombardier Regional Aircraft Division, Garratt Boulevard, Downsview, Ontario, Canada M3K 1Y5. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Engine and Propeller Directorate, New York Aircraft Certification Office, 10 Fifth Street, Third Floor, Valley Stream, New York.

FOR FURTHER INFORMATION CONTACT: Peter Cuneo, Electrical Engineer, ANE–172, FAA, Engine and Propeller Directorate, New York Aircraft Certification Office, 10 Fifth Street, Third Floor, Valley Stream, New York 11581; telephone (516) 256–7506; fax (516) 568–2716.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket Number 95–NM–12–AD.'' The postcard will be date stamped and returned to the commenter.

Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the

FAA, Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 95–NM–12–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

Discussion

Transport Canada Aviation, which is the airworthiness authority for Canada, recently notified the FAA that an unsafe condition may exist on certain de Havilland Model DHC–8–102, –103, –106, –301, –311, and –314 series airplanes equipped with Ametek/Weston battery temperature monitors having part number (P/N) 522487. Transport Canada Aviation advises that reports have been received of failure of the battery temperature monitor, which resulted in smoke in the flight compartment. The cause has been attributed to the failure of a current-limiting resistor in the power supply circuit in the battery temperature monitor. This condition, if not corrected, could result in smoke in the flight compartment.

De Havilland has issued Service Bulletin S.B. 8–24–53, dated September 7, 1994, which describes procedures for modification of a certain battery temperature monitor. This modification involves either replacing the Ametek/Weston battery temperature monitor having part number (P/N) 522487, with a new monitor having P/N 522487–1; or reworking the monitor having P/N 522487, to create a new P/N 522487–1. The rework procedure involves replacing a certain resistor (R1) with a new resistor; adding a certain diode (CR11) to the circuit board; and re-identifying the battery temperature monitor. Transport Canada Aviation classified this service bulletin as mandatory and issued Canadian airworthiness directive CF–94–22, dated November 24, 1994, in order to assure the continued airworthiness of these airplanes in Canada.

This airplane model is manufactured in Canada and is type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, Transport Canada Aviation has kept the FAA informed of the situation described above. The FAA has examined the findings of Transport Canada Aviation, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design registered in the United States, the proposed AD would require modification of a certain battery temperature monitor. The actions would be required to be accomplished in accordance with the service bulletin described previously.

As a result of recent communications with the Air Transport Association (ATA) of America, the FAA has learned that, in general, some operators may misunderstand the legal effect of AD's on airplanes that are identified in the applicability provision of the AD, but that have been altered or repaired in the area addressed by the AD. The FAA points out that all airplanes identified in the applicability provision of an AD are legally subject to the AD. If an airplane has been altered or repaired in the affected area in such a way as to affect compliance with the AD, the owner or operator is required to obtain FAA approval for an alternative method of compliance with the AD, in accordance with the paragraph of each AD that provides for such approvals. A note has been included in this notice to clarify this requirement.

The FAA estimates that 137 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 1 work hour per airplane to accomplish the proposed actions, and that the average labor rate is $60 per work hour. The cost of required parts would be nominal. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be $8,220, or $60 per airplane.

The total cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the proposed requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted.

The regulations proposed herein would not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this proposed regulation (1) Is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption **ADDRESSES**.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. App. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

De Havilland, Inc.: Docket 95–NM–12–AD.

Applicability: Model DHC–8–102, –103, –106, –301, –311, and –314 series airplanes, serial numbers 003 through 389 inclusive; equipped with Ametek/Weston battery temperature monitor having part number (P/N) 522487; certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must use the authority provided in paragraph (c) to request approval from the FAA. This approval may address either no action, if the current configuration eliminates the unsafe condition; or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any airplane from the applicability of this AD.

Compliance: Required as indicated, unless accomplished previously.

To prevent failure of the battery temperature monitor, which could result in smoke in the flight compartment, accomplish the following:

(a) Within 6 months after the effective date of this AD, modify the battery temperature monitor in accordance with de Havilland

Service Bulletin S.B. 8–24–53, dated September 7, 1994.

(b) As of the effective date of this AD, no person shall install an Ametek/Weston battery temperature monitor, P/N 522487, on any airplane.

(c) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Standardization Branch, ANM–113.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM–113.

(d) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

Issued in Renton, Washington, on February 14, 1995.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 95–4121 Filed 2–17–95; 8:45 am]

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14 CFR Part 39

[Docket No. 93–CE–03–AD]

Airworthiness Directives; Fairchild Aircraft SA26, SA226, and SA227 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Proposed rule; withdrawal.

SUMMARY: This document withdraws a notice of proposed rulemaking (NPRM) that would have revised AD 93–19–06, which requires repetitively inspecting acrylic cabin and cockpit windows for cracks on Fairchild Aircraft SA26, SA226, and SA227 series airplanes, and, if cracks are found that exceed certain limits, replacing that window. The revision document was proposed to more fully define the crack limits and establish clearer repetitive inspection intervals under those crack limits for the affected airplanes. Several incident reports of cockpit side window failures on the affected airplanes that were in compliance with AD 93–19–06 has prompted the FAA to propose a modification to these windows in another AD action, which would supersede the current AD. The FAA is withdrawing the current NPRM and issuing another NPRM to propose this modification.

FOR FURTHER INFORMATION CONTACT: Mr. Hung Viet Nguyen, Aerospace Engineer, FAA, Airplane Certification Office, 2601 Meacham Boulevard, Fort Worth, Texas 76193–0150; telephone (817) 222–5155; facsimile (817) 222–5959.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations to include an airworthiness directive (AD) that would apply to Fairchild Aircraft SA26, SA226, and SA227 series airplanes was published in the **Federal Register** on March 30, 1994 (59 FR 14795). The action proposed to revise AD 93–19– 06, Amendment 39–8705, to more fully define the crack limits and establish clearer repetitive inspection intervals under those crack limits for the affected airplanes. AD 93–19–06 requires repetitively inspecting acrylic cabin and cockpit windows for cracks on certain Fairchild Aircraft SA26, SA226, and SA227 series airplanes, and, if cracks are found that exceed certain limits, replacing that window. The actions are accomplished in accordance with the following service bulletins (SB), as applicable:

Fairchild SB 226–56–001, Issued: February 2, 1983; Revised: November 26, 1991.
Fairchild SB 227–56–001, Issued: February 2, 1983; Revised: November 26, 1991.
Fairchild SB 226–56–002, Issued: March 3, 1983; Revised: May 29, 1992.
Fairchild SB 227–56–002, Issued: January 5, 1984; Revised: May 29, 1992, and April 1, 1993.
Fairchild SB 226–56–003, Issued: September 13, 1984; Revised: November 2, 1989.
Fairchild SB 227–56–003, Issued: September 13, 1984; Revised: November 2, 1989.
Fairchild SB 26–56–10–038, Issued: October 8, 1984; Revised: February 7, 1991.
Fairchild SB 26–56–20–042, Issued: November 28, 1988; Revised: February 7, 1991.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were received on the proposed rule or the FAA's determination of the cost to the public.

Since issuance of the NPRM, the FAA has received several incident reports of cockpit side window failures on the affected airplanes. All of the airplanes involved in the referenced incidents are in compliance with AD 93–19–06. After a review of all available information related to the incidents referenced above, the FAA is proposing a modification to these windows in another AD action that would supersede AD 93–19–06, and is withdrawing the current NPRM.

Withdrawal of this NPRM constitutes only such action, and does not preclude the agency from issuing another notice in the future or commit the agency to any course of action in the future.

Since this action only withdraws an NPRM, it is neither a proposed rule nor a final rule and therefore, is not covered under Executive Order 12866, the Regulatory Flexibility Act, or DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979).

List of Subjects in 14 CFR Part 39

Air Transportation, Aircraft, Aviation Safety, Safety.

The Withdrawal

Accordingly, the notice of proposed rulemaking, Docket No. 93–CE–03–AD, published in the **Federal Register** on March 30, 1994 (59 FR 14795), is withdrawn.

Issued in Kansas City, Missouri, on February 14, 1995.

Barry D. Clements,

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 95–4129 Filed 2–17–95; 8:45 am]

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14 CFR Part 39

[Docket No. 94–CE–22–AD]

Airworthiness Directives; Fairchild Aircraft SA26, SA226, and SA227 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes to supersede AD 93–19–06, which currently requires repetitively inspecting acrylic cabin and cockpit side windows for cracks on certain Fairchild Aircraft SA26, SA226, and SA227 series airplanes, and, if cracks are found that exceed certain limitations, replacing that window. The proposed action would require modifying certain cockpit side windows, and would more fully define the crack limitations and establish clearer repetitive inspection intervals for the affected airplanes. The actions specified by the proposed AD are intended to prevent acrylic cockpit or cabin side window failures, which, if not detected and corrected, could result in airframe damage and decompression injuries.

DATES: Comments must be received on or before April 28, 1995.

ADDRESSES: Submit comments in triplicate to the Federal Aviation